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 PROPERTY ATTORNEYS

Intellectual Property Attorneys

APR 21 2005

Fax

To:

Art Unit 3623

USPTO

From: Barbara Courtney

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Pages: 25 including cover

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Date: April 21, 2005

Re: Application Serial No. 09/825,589

Art Unit 3623

CC:

Examiner Jonathan G. Sterrett

Atty Docket No. BLPUP001

☒ Urgent☒ For Review☒ Please Comment☒ Please Acknowledge

Attorney Docket No. BLPUP001

Patent**Transmittal of Office Action Response***Certification Under 37 C.F.R. §1.8(a)*

Transmitted to USPTO Central Facsimile No.

April 21, 2005

Date of Transmission

703-872-9306

I hereby certify that this document, and any other accompanying documents referred to herein are being transmitted via facsimile to the United States Patent Office to the facsimile number and on the date indicated above.

Barbara B. Courtney

(Print Name of Person Transmitting Facsimile)

(Signature of Person Transmitting Facsimile)

1. Response to the Office Action mailed December 22, 2004 (20 pages);
2. Petition for Extension of Time (duplicate, 2 pages); and
3. Fee Transmittal with authorization to charge Deposit Account (duplicate, 2 pages).

Confidentiality Note

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2005. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 470.00

Complete If Known

Application Number	09/825,589
Filing Date	04/03/2001
First Named Inventor	David Andre
Examiner Name	Jonathan G. Sterrett
Art Unit	3623
Attorney Docket No.	BLPU.P001

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 501914 Deposit Account Name: Shemwell Gregory & Courtney

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
44 - 20 or HP =	41	x 50 =	150

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
4 - 3 or HP =	3	x 200 =	200

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition for extension of time, one month

120

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 42,442	Telephone 408-236-6647
Name (Print/Type)	Barbara B. Courtney		Date 04/21/2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (12-04v2)

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		Art Unit	3623
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Atty. Docket No.: BLPJ.P001


Patent 09/825,589

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Please charge deposit account 501914 for any underpayments in connection with this Office Action response.

Respectfully submitted,
Shemwell Gregory & Courtney LLP

Date: April 21, 2005


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Tel. 408-236-6647

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